



City of Hampton, VA

Notice of Action

City Council

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov

*Randall A. Gilliland, Angela Lee Leary, Charles N. Sapp, Joseph H. Spencer, II,
Turner M. Spencer, Rhet Tignor, Ross A. Kearney, II, Mayor*

Staff:

*George E. Wallace, City Manager
A. Paul Burton, City Attorney
Katherine M. Werner, Interim Clerk of Council*

Wednesday, January 12, 2005

7:30 PM

Council Chambers, 8th Floor, City Hall

**Carl Parker, Jr. ("Lil' Old C")
7:00 p.m.**

CALL TO ORDER/ROLL CALL

INVOCATION - Councilman Rhet Tignor

PLEDGE OF ALLEGIANCE TO FLAG

CONSENT AGENDA

1. **05-0037** Minutes for the special and regular meetings held December 8, 2004, and special meeting held December 14, 2004.

Approved as Recorded for the cited Meeting(s)

2. **05-0017** Request for refunds of erroneous tax assessments.

Approved and Filed

Consent Items - Other

3. **05-0011** Amendment to the Helmer property purchase agreement.

Approved and Filed

4. **05-0022** Approval of the temporary non-exclusive Right-of-Way Agreement between the City of Hampton and Level 3 Communications, LLC.

Approved and Filed

5. **05-0019** V-STOP Hampton Domestic Violence Community Unified Response Effort (CURE) Grant

Approved

Enactment No: 05-3037

Passed the Consent Agenda**PRESENTATIONS, PROCLAMATIONS, AWARDS**

6. **05-0010** Presentation of Convention and Visitor Bureau Industry Accreditation Plaque designating Hampton CVB as an Accredited Destination Management Organization.
- Read and Presented the Convention and Visitor Bureau Industry Accreditation Plaque to Ms. Sallie Grant-DiVenuti, Director of the Conventions and Visitors Bureau.**
7. **05-0018** Presentation of Awards to 2004 Hampton Holly Days Parade winning units.
- Read and Presented the following awards: High School Bands: a trophy and check for \$300 to Kecoughtan High School for 1st place, a trophy and check for \$200 to Warwick High School for 2nd place, and a trophy and check for \$100 to Smithfield High School for 3rd place; Floats, Commercial: a trophy and check for \$75 to Langley Federal Credit Union for 1st place, and a trophy to Affordable DJs for 2nd place; Floats, Non-Commercial: a trophy and check for \$75 to the City of Suffolk, Division of Tourism for 1st place, and trophy to Hampton Supertrack for 2nd place; Precision Marching Military: a trophy and check for \$75 to Hampton High School Air Force JROTC for 1st place, a trophy and check for \$50 to Phoebus High School Marine JROTC for 2nd place, and a trophy to Bethel High School Army Jr. ROTC for 3rd place: a trophy and check for \$75 to the Marching Elites for 1st place, a trophy and check for \$50 to Youth Patrol Boogie Drill Team for 2nd place; and a trophy to the CMS Steppers for 3rd place.**

REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES

8. **05-0043** National League of Cities Conference.
- Councilwoman Leary thanked the taxpayers for allowing her to attend the National League of Cities Conference held November 30 through December 4, 2004 in Indianapolis, Indiana and presented her report.**

PUBLIC HEARINGS**Conditional Privileges**

9. **05-0013** Re-evaluation of Conditional Privilege 63 for Hat Trix, located at 24 N. Mallory Street, for live entertainment in conjunction with a restaurant.
- Approved and Filed subject to eight (8) conditions.**
10. **05-0012** Re-evaluation of Conditional Privilege No. 68 for Cujo's Sportz Grill, located at 50 Towne Centre Way, for live entertainment in conjunction with a restaurant.
- Approved and Filed subject to eight (8) conditions.**
11. **05-0003** Conditional Privilege No. 79 by Delta Beta Lambda Chapter Building

Foundation, Alpha Phi Alpha Fraternity to amend the conditions of Conditional Privilege No. 54 that govern a private fraternal club located at 2205 Andrews Boulevard and to add live entertainment. The property is zoned Limited Commercial District (C-2) & Multiple Residence District (R-M) that allow private clubs as a permitted use.

Approved and Filed subject to sixteen (16) conditions.

12. **05-0002** Conditional Privilege No. 80 by Demissew Gedamu to obtain a Conditional Privilege for live entertainment in conjunction with the Bahir Dar Ethiopian Restaurant located at 17 East Queens Way.

Approved and Filed subject to nine (9) conditions.

Rezoning - First Reading

13. **05-0024** Rezoning Application No. 1198 by Eugenia Walters to rezone properties at 300 and 302 Columbia Avenue from Neighborhood Commercial (C-1) to One Family Residence (R-11) for a single family home.

Approved on First Reading subject to three (3) conditions.

Ordinances - First Reading

14. **05-0015** Amendment to the Hampton Roads Center II Master Plan

Approved on First Reading

15. **05-0014** Zoning Ordinance Amendment by the City of Hampton to amend the Special Public Interest-Hampton Roads Center-I District (SPI-HRC-I).

Approved on First Reading

16. **05-0016** Zoning Ordinance Amendment: Special Public Interest District - Hampton Roads Center II; Chapter 17.3 Article XIII

Approved on First Reading

17. **05-0021** Amend and re-enact Chapter 24 of the code of the City of Hampton, entitled, Offenses - Miscellaneous.

Approved on First Reading

GENERAL ITEMS

Appointments

18. **05-0035** Animal Control Advisory Committee.

Approved appointing Ms. Linda Seely, Mr. Calvin Poole, Ms. Elizabeth Nieder-Bocka, Ms. Paula Gilley and Ms. Martha Nicholson, citizen members; and Ms.

19. **05-0042** Golf Course Advisory Committee.
- Approved appointing Mr. Richard Brooks, Ms. Barbara Burge and Mr. Waymon Murphy to three-year appointments which began August 28, 2004 and will expire August 27, 2007.**
20. **05-0032** Hampton Clean City Commission.
- Approved appointing Mr. Rolland Schattschneider for an unexpired term which began on August 30, 2004 and will expire on January 9, 2006.**
21. **05-0005** Military Affairs Committee.
- Approved appointing Mr. Russell Evans, Retired Colonel Simon T. Gaskill, Mr. Andy Greenwell, Mr. Bob Harper, Mr. John Ishon, Retired Colonel Warren Love, Retired Colonel Robert Macklin, Retired Colonel Neill McGinnis, General Stephen Miller, Retired Rear Admiral David Morris, Mr. Jim Peach, Retired Lieutenant Colonel Bernie Peters, Retired Colonel John Schofield, Retired General Officer Betty Simmons, Retired General Officer Tommy Thompson, Mr. Claud Vann, Angel Flight Pilot Forest Ward, Mr. Billy Wood, Ms. Jill Keech, Retired Colonel Frank Capone, Ms. Caroline Peabody, Ms. Megan Turak, Ms. Vicki Williams, Mr. Arnold Lorea, Mr. John Davis, Jr., Mr. William Wilson, Command Chief Master Sergeant H. Layton Clark, Command Sergeant Major David E. Williams, Major General Alvin Bryant, and Mr. Rick Bagley.**
22. **05-0041** Office of Human Affairs.
- Defer to a future Council meeting.**

AUDIENCES GRANTED TO THE GENERAL PUBLIC

23. Ms. Joan Charles, 101 Madrid Drive, 23666, agrees with the sale of the Helmer property by the City; disagrees with method of real estate management and real estate negotiations; and overpayment for real estate by the City with taxpayers money.
24. Mr. Frank J. Ottofaro, 63 Wheatland Drive, stated that the City seized his property illegally in conjunction with the Power Plant Project and he was unfairly treated by the court system.
25. Mr. George Baisley, 17 Michele Drive, 23669, stated his concerns about the sale of City properties; the involvement of City Council in real estate; and the damaging newspaper articles about the City Manager, City Council and the City of Hampton.
26. Mr. Clint Martin, 2213 McSweeney Circle, 23663, requested approval for the incorporation of the words "Hampton Moose #1514" on the All-America City logo pins to be used by the Moose Lodge.

The request for consideration and additional language incorporated on the All-America City pin by the Hampton Moose Lodge will be presented at the January 26th Council meeting.

MISCELLANEOUS NEW BUSINESS

27. **05-0044** Consideration and approval of the resolution authorizing the Mayor and City Manager to enter into an agreement pertaining to the Sunset Boat Ramp Properties.

Approved consideration of the resolution and approved the resolution.

Enactment No: 05-3038

ADJOURNMENT

Contact Info:

Clerk of Council, 757-727-6315; council@hampton.gov